

DECLARATION

As a representative of Mutsumi International Patent Bureau (hereinafter "Mutsumi"), I declare that:

Mutsumi represents Komatsu Ltd., the assignee of record in U.S. Patent Application Serial No. 10/574,977 filed on April 7, 2006.

The above-referenced application claims priority to U.S. Patent Application Serial No. 10/683,269 filed on October 14, 2003 and International Application No. PCT/JP2004/014732, filed on October 6, 2004. The priority information is included in the document entitled "Declaration and Power of Attorney for Patent Application" that was filed with the above-referenced application.

The priority claim was not included in the Specification of the above-referenced application. The entire delay between the date that the priority claim was due in the above-referenced application under 37 CFR 1.78(a)(2)(ii) and the date the claim was filed was unintentional.

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